

CLASS.

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS
2004 MAR 18 PM 2:20

HEDSTROM CORPORATION,)
Plaintiff,) Civil Action No. 03-12308 PBS
v.)
JUMPSPORT, INC.,)
Defendant.)

**DECLARATION OF ANNALEE RESTLY IN SUPPORT OF HEDSTROM
CORPORATION'S OPPOSITION TO THE MOTION TO DISMISS**

I, Annalee Restly, do hereby declare:

1. I am the Manager, Product Legal at Hedstrom Corporation, Sunnyside Road, Bedford, PA 15522.
2. By being forced to litigate the First Action in California, Hedstrom has suffered severe economic hardship and disruption to its business.
3. Hedstrom's witnesses all live in and around the Bedford, Pennsylvania area.
4. Massachusetts is substantially more convenient for Hedstrom and its witnesses than the Northern District of California.
5. All of the documents from Hedstrom's files that are relevant to its alleged infringement of the JumpSport's patents are located at its trial counsel's offices in Boston, Massachusetts.

6. Hedstrom's customers have almost unanimously expressed concern about purchasing non-JumpGuard enclosures and Hedstrom is required to allay these concerns by defending them in these actions and giving its customers full indemnification commitments.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of March, 2004 at Bedford, Pennsylvania.


Annalee Restly
Annalee Restly